

**From:** [PUC Consumer Comments](#)  
**To:** [Jan Noriyuki](#)  
**Subject:** Notice: A comment was submitted to PUCWeb  
**Date:** Friday, August 6, 2021 7:00:09 AM

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The following comments were submitted via PUCWeb:

Name: Shelley Brock  
Submission Time: Aug 5 2021 9:26PM  
Email: ushorsepoor@yahoo.com  
Telephone: 208-559-6127  
Address: 8770 W Chaparral Rd.  
Eagle, ID 83616

Name of Utility Company: Suez Water - Veolia

Case ID: EAG-W-18-01

As a long time Eagle resident and community justice advocate I implore you to deny the application for the sale of Eagle Water Company to SUEZ Water (Case #EAG-W-18-01) for the following reasons:

In January, 2021, the City of Eagle suddenly, inexplicably settled their ongoing lawsuit with EWC despite evidence that the city had an excellent chance of prevailing in court and subsequently exercising their right of first refusal to buy the system for the Eagle community. Eagle residents were shocked at the news and angered that they had been denied a voice in the city's decision despite having waged a very public 2 year campaign to maintain local control of that crucial and pristine water resource.

Eagle Mayor Jason Pierce stated, on the record, that the city decided to settle the lawsuit after their "due diligence" revealed that \$8 million in upgrades would be necessary, including \$500,000 in immediate system upgrades. When tacked on to the \$10.5M price tag he surmised that attempts to pass a bond for that amount would likely fail, thereby insinuating the purchase was untenable. However, these figures now appear to be based solely on calculations provided by SUEZ in their PUC application as verified by the public record requests I submitted to the City of Eagle in April and May, 2021:

Dear Ms. Brock:

I write in response to your April 6, 2021 Public Records Information Request for:

- The detailed cost analysis performed by the city of Eagle that validated calculations by Suez in their PUC application claiming that \$8 million in upgrade costs would be necessary, including \$500,000 in immediate system upgrade costs.
- The name of the financial consultant who was hired by the City of Eagle to provide this information
- The name of the engineer who was hired by the City of Eagle to do this analysis.

This letter and the accompanying enclosures contain the City's response to your request.

- There was no "detailed cost analysis performed by the city of Eagle that validated calculations by Suez in their PUC application claiming that \$8 million upgrade costs would be necessary, including \$500,000 in immediate system upgrade costs." Therefore, there are no responsive documents to that request.

- Because there was no such cost analysis, there is no financial consultant who was hired by the City of Eagle to provide this information, and therefore there are no documents responsive to your request.
- There was no engineer hired by the City of Eagle to do this analysis because there was no such analysis as identified in your request

At a May 25 Eagle Council meeting I asked Mayor Pierce about the 'due diligence' he referenced as having influenced the council to settle the lawsuit. I asked if the city had hired qualified engineers and financial consultants to validate the calculations presented to the IPUC by SUEZ. The mayor deferred to Councilman Charlie Baun who responded, on the record, that:

- 1) The city had done their own cost analysis using staff at the Eagle City Water Department and that analysis indicated that the \$8M estimate for necessary upgrades was likely on the low end.
- 2) The pipes in EWC are "historically lead" and would need to be replaced (at additional cost) before that system could be hooked up to the city water system.
- 3) Their 'due diligence' had uncovered the fact that there were insufficient water rights held by EWC to meet state code even to support their current area of service.

On June 9, I filed a Public Records Request to the City of Eagle and received the following response regarding Councilman Baun's statements:

Dear Ms. Brock:

In response to your June 9, 2021 Public Records Information Request for:

- 1) Please provide me the detailed in-house cost analysis which was performed on Eagle Water Company by employees of the Eagle City Water Department to validate the estimated infrastructure costs and required upgrades to that system as calculated by Suez Water.
- 2) Please provide me with the name(s), official title(s) and qualifications of all Eagle City Water Department employee(s) who performed that cost analysis.
- 3) Please provide me with any and all documentation the city has obtained through correspondence with Eagle Water Company or IDEQ which proves there are lead pipes in the Eagle Water Company system that would need to be replaced if the city bought the system.

The City's response to your requests are as follows:

Request 1) There was no "in-house cost analysis which was performed on Eagle Water Company by employees of the Eagle City Water Department to validate the estimated infrastructure costs and required upgrades to that system as calculated by Suez Water," therefore, there are no responsive documents to that request.

Request 2) As no cost analysis was performed as identified in Request 1, there are no responsive documents to the request.

Request 3) The City does not possess documents that meet the criteria of this request.

On June 12 I filed a PRR to IDEQ asking for documentation verifying Eagle City Councilman Baun's assertion that the EWC system contains lead pipes and if so, what the amount of lead is and whether it exceeds public safety standards for drinking water. In response to my PRR I received a phone call from an IDEQ drinking water compliance representative who stated that the chances of there being any lead pipes in the EWC system was highly unlikely. He gave the following reasons for his response:

- Lead pipes were phased out decades ago (1970's and 1980's)
- Lead pipes were an issue generally seen in the eastern US, not here in Idaho

- Lead pipes were especially unlikely in a water system the size of EWC
- Systematic water testing of the EWC over decades of service had never shown a history of lead contamination

On June 12 I filed a FOIA to IDWR asking if the water rights held by EWC are sufficient by state code to cover their current area of surface. In their response, officials there were unable to verify that Mr. Baun was correct in his assertion that they were insufficient to meet state code to support their current area of service, despite an extensive search for records that might prove or disprove his statement. As of today's date I have yet to receive any documents verifying that EWC is out of compliance with any regulatory codes involving water rights in respect to area of service.

SUEZ representatives have made it clear from day 1 that a major goal in their purchase of the EWC is their intention to utilize millions of gallons per day of that water to supplement their existing service areas – which include Avimor and, assumedly, to facilitate further build-out of Avimor and other non-contiguous development in the arid Eagle and west Boise foothills. It has been widely reported that Avimor has never had enough water for their planned community (as evidenced by their existing service contract with SUEZ) and that, in fact, at one point they had even discussed piping water from the Payette River in Horseshoe Bend to facilitate further development. This reality takes on heightened relevance in light of the fact that the campaigns of Eagle Mayor Jason Pierce and Councilman Baun were heavily funded by Avimor representatives and affiliates during the 2019 election; that Mr. Baun was in fact an employee of Avimor for many years; that both these candidates had voiced their support of annexing Avimor into the City of Eagle during their campaigns; that EWC owner Robert Deshazo signed a letter sent to every EWC customer encouraging them to vote for Jason Pierce; and that securing the EWC for the City of Eagle was one of Pierce's most ardent campaign promises – a promise now broken. It appears that incomplete and inaccurate information was used to influence the council to end a lawsuit the city appeared poised to win, allowing SUEZ to proceed with the purchase of this pristine water system and open the door to further foothills development – including in Avimor.

As a condition of the settlement Judge Hippler ruled that if the sale to SUEZ isn't approved by the IPUC the case can be refiled without prejudice. The public was left out of the city's decision to settle that lawsuit but I have faith that this Commission will see through the politics and sweetheart deals that have impacted these proceedings and that you will act in on behalf of the citizens as we strive to maintain local control of this local, irreplaceable treasure. AS A MATTER OF PUBLIC INTEREST please DENY this application in order to give us the opportunity to do so.

As a long time Eagle resident and community justice advocate I implore you to deny the application for the sale of Eagle Water Company to SUEZ Water (Case #EAG-W-18-01) for the following reasons:

SUEZ has a long, troubled history worldwide and here in the Treasure Valley as evidenced by the huge backlog of complaints filed against them through your agency; including constant rate hikes, highly publicized 'brown water on the bench', damages to clothes and appliances, infrastructure failures, over-billing, abysmal customer service and heavy chemicalization of water.

EWC customers have enjoyed decades of plentiful, affordable, pristine water with excellent customer service. The prospect of a SUEZ takeover has citizens up in arms. In addition to that, we now know that French-based, multinational, for-profit SUEZ is merging with French-based, multinational, for-profit Veolia. Globally, Veolia and Suez dominate the water market. When that merger is complete later this year, these foreign entities will control a massive volume of our most precious, life-sustaining natural resource here in Eagle and beyond. What a disturbing thought!

Veolia reports they provide drinking water to over 101 million people & sewer service to 71 million people worldwide; with approximately \$38B in revenue growth for 2019. Already the largest private operator of municipal water and sewer systems in North America, Veolia will acquire additional regulated water utilities in multiple states - including Idaho - through its acquisition of SUEZ. Unfortunately, Idaho is one of few states where PUC approval for the merger is not required. This raises the question: why would we allow the 2 largest, most powerful, foreign water companies on the planet to privatize and control ANY of Idaho's water?

Veolia's claims that they are experts in water and wastewater management, including water quality and purification, safety, enhanced infrastructure, meter reading, billing, collection and customer service functions, and that customer satisfaction is extremely important to them. Yet, in the face of strong public opposition generated by their terrible track record, municipalities across the globe have severed their contracts with Veolia early, or allowed them to expire before taking back their water systems. Here are just a few examples:

Paris, France: Veolia lost the water management deal for their home city when its 25 year-long contract expired and the city brought the operation in-house for a projected \$48M in annual savings and 8% reduction in water prices.

Indianapolis, IN: Veolia lost their largest water contract in the US when the city terminated it due to alleged unfair billing practices, overcharging residents, and more than \$50M in benefit cuts to employees.

Flint, MI: In February 2015, Veolia was hired to study Flint's drinking water quality. Veolia declared Flint's water safe, failed to warn the public of lead contamination they'd acknowledged months earlier in internal emails, and even recommended a chemical change that allegedly worsened the crisis. Ongoing lawsuits assert that Veolia's abuses amount to professional negligence and fraud.

Pittsburg, PA: Under Veolia's management of Pittsburgh Water and Sewer corrosion control chemicals used to prevent lead contamination were switched to cheaper alternatives without required approval, violating state code and allegedly causing lead poisoning in residents. Veolia walked away with \$11 million from its management contracts, while local officials were left to find hundreds of millions of dollars to replace pipes leaching lead.

Plymouth, MA: Under Veolia's operation of a Massachusetts wastewater system, over 10 million gallons of raw sewage flooded Plymouth between December 2015 and January 2016, resulting in a lawsuit that ended with Veolia paying a \$22.8 million settlement.

Heavener, OK: Veolia was fined more than \$3M for 27 violations of water quality regulations in 2019 that allegedly caused bacterial infections, high blood cell counts, vomiting, diarrhea, hair loss, headaches, dizziness, bleeding skin rashes, organ failures & surgeries.

Angleton, TX: contract with Veolia was terminated for inadequate staffing levels, inadequate service and overcharging for maintenance and repair work.

Burley, ID: city cancelled its wastewater contract with Veolia after the company's neglect and poor performance necessitated the city making thousands of dollars in repairs to the treatment plant.

There's more to this merger than stock prices; this is about people's lives. Veolia and Suez face opposition on every continent they operate in because of their dismal track record. AS A MATTER OF PUBLIC INTEREST please DENY this application and halt these proceedings until the merger is complete and the entire process can restart from ground zero with the company customers will actually be doing business with.